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THE ARRANGEMENTS OF RACE

Frank H. Wu*

THE EMPEROR OF OCEAN PARK. By *Stephen L. Carter*. New York: Random House, Inc. 2002. Pp. vi, 657. \$26.95.

So we beat on, boats against the current, borne back ceaselessly into the past.

— F. Scott Fitzgerald¹

I. THE AUTHOR'S NOTE

In his debut novel, Stephen Carter² takes pains to explain that although he and his protagonist, Talcott Garland (who goes by “Misha”), share superficial aspects of their identities, they should not be confused as twins.³ Carter and Misha may both be middle-aged professors at prestigious East Coast universities who grew up as members of the African-American elite that summered on Martha’s Vineyard as segregation was officially ending; and they may both be passionate about chess. Beyond that, however, they are dissimilar. Carter drives no faster than the speed limit and otherwise leads a life that appears to be boring beyond reproach according to glossy magazine profiles.⁴ At the same time, his non-alter-ego fantasizes guiltily about an affair with a mysterious woman even as he entertains paranoid visions of his wife cheating on him with her boss. Carter continues on a career of academic reflections as the William Nelson Cromwell Professor of Law at Yale, with a special interest in expressions of religious faith in public life.⁵ Misha ultimately faces a showdown with an unexpected

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1. F. SCOTT FITZGERALD, *THE GREAT GATSBY* 189 (Collier Books 1992) (1925).

2. William Nelson Cromwell Professor, Yale Law School.

3. Carter’s own life is known to readers of his first book, a memoir. STEPHEN L. CARTER, *REFLECTIONS OF AN AFFIRMATIVE ACTION BABY* (1991) [hereinafter CARTER, REFLECTIONS].

4. David Owen, *From Race to Chase: Yale’s Stephen L. Carter Writes a Thriller*, NEW YORKER, June 3, 2002, at 50, 56.

5. See STEPHEN L. CARTER, *THE CULTURE OF DISBELIEF: HOW AMERICAN LAW AND POLITICS TRIVIALIZE RELIGIOUS DEVOTION* (1993); STEPHEN L. CARTER, *THE DISSIDENT*

figure that resolves the political scandal that ended his late father's political career, albeit leaving him with unanswered questions.

Indeed, Carter has been mocked with good humor for his extensive author's note, which concludes the book and was intended to preempt casual conjectures about the relationship of life to art, the extraordinary detail of which ironically only prompts such guesswork.⁶ Carter notes, for example, that he has placed a Brooks Brothers store in its old location rather than at its new corner to facilitate Misha's escape in one of several chase scenes (p. 656).

There are more significant changes, such as the creation of an alternate universe differing from reality only in the not insignificant matter of appointment of Justices to the Supreme Court. Instead of President George Bush naming Clarence Thomas, a conservative appellate judge who is African American, President Ronald Reagan names Misha's father, a conservative appellate judge who is African American. Thomas is in fact confirmed following controversy over allegations of sexual harassment, but the elder Garland is in fiction withdrawn from consideration following controversy over allegations of ties to organized crime (pp. 49-50). Judge Garland is the titular "Emperor of Ocean Park," the title having been bestowed in a magazine article summarizing his disgrace (p. 213).⁷

II. A LITERARY MANIFESTO OF THE BLACK BOURGEOISIE

Carter's book fulfills the mandate of Tom Wolfe's "literary manifesto for the new social novel," which appealed for a return to realistic narrative.⁸ The book can also be read as an updating of Franklin Frazier's *Black Bourgeoisie*, the definitive but despised report that gave its name to a racial class.⁹

In 1989, Wolfe, who invented new journalism, penned a much-discussed essay advocating that fiction writers offer "a slice of life, a cross section, that provide[s] a true and powerful picture of individuals and society" and "wallows so enthusiastically in the dirt of everyday life and the dirty secrets of class envy" that it is "easily understood and

OF THE GOVERNED: A MEDITATION ON LAW, RELIGION, AND LOYALTY (1998); STEPHEN L. CARTER, *GOD'S NAME IN VAIN: THE WRONGS AND RIGHTS OF RELIGION IN POLITICS* (2000). The background themes of the book, such as affirmative action and Senate "advise and consent" in confirming presidential nominations, are topics of Carter's other non-fiction. See, e.g., STEPHEN L. CARTER, *THE CONFIRMATION MESS: CLEANING UP THE FEDERAL APPOINTMENTS PROCESS* (1994); CARTER, *REFLECTIONS*, *supra* note 3.

6. See Anthony Appiah, *What Garland Knew*, N.Y. REV. BOOKS, June 27, 2002, at 4.

7. Investigative journalist Bob Woodward writes a book about the Judge. P. 37.

8. Tom Wolfe, *Stalking the Billion-Footed Beast: A Literary Manifesto for the New Social Novel*, HARPER'S, Nov. 1989, at 45.

9. E. FRANKLIN FRAZIER, *BLACK BOURGEOISIE* (Simon & Schuster 1997) (1957).

obviously relished by the mob, i.e., the middle class."¹⁰ Wolfe presented his own novel, *Bonfire of the Vanities*, as a case in point. He specifies various examples of worthwhile subject matters, racial tensions chief among them.

In 1956, Frazier, already a distinguished sociologist trained by Robert E. Park at the University of Chicago, published a monograph in France arguing that the black bourgeoisie were a self-deluded class who would never be accepted as either black or bourgeoisie. When it was released in the United States, it confirmed Frazier's standing as an astute student of African-American family life, but it also brought him widespread denunciation within the society he depicted.¹¹ Frazier claimed that "the black bourgeoisie has been uprooted from its 'racial' tradition and as a consequence has no cultural roots in either the Negro world or the white world."¹² Frazier detected an inferiority complex coupled with relatively superior wealth (compared to other blacks) that "enabled [the black bourgeoisie] to propagate false notions about their place in American life and to create a world of make-believe."¹³ Frazier hypothesized that the black bourgeoisie hated lower-class African Americans and sought to distance themselves from their slave past, just as they were hated by whites with whom they sought to identify themselves as peers. They were faux aristocrats.

In passing, Carter's Misha remarks that Frazier was right. He observes that "the best of black Washington charged about in mad imitation of white people's foolishness," (p. 283) even adopting the paper bag test for admission to a fraternity or sorority — that a pledge must be lighter in skin tone than the light brown of a paper bag (p. 266).

For some white readers, this milieu is all a novelty. At least one leading reviewer was taken aback to learn that there existed, along-

10. Wolfe, *supra* note 8, at 47. He distinguished this genre from literary experimentation such as metafiction.

11. For a discussion of Frazier, see E. FRANKLIN FRAZIER AND THE BLACK BOURGEOISIE (James E. Teele ed., 2002). For other contemporary accounts of the black bourgeoisie, I've relied on LAWRENCE OTIS GRAHAM, MEMBER OF THE CLUB: REFLECTIONS ON LIFE IN A RACIALLY POLARIZED WORLD (1995), and LAWRENCE OTIS GRAHAM, OUR KIND OF PEOPLE: INSIDE AMERICA'S BLACK UPPER CLASS (1999). I've also relied on DOROTHY WEST, THE RICHER, THE POORER: STORIES, SKETCHES, AND REMINISCENCES (1995).

12. FRAZIER, *supra* note 9, at 112. The black bourgeoisie are unlike the African-American "underclass" described by William Julius Wilson. WILLIAM JULIUS WILSON, THE TRULY DISADVANTAGED: THE INNER CITY, THE UNDERCLASS, AND PUBLIC POLICY (1987). But blacks and whites with the same levels of income are, on average, very different in terms of wealth; blacks with high income have relatively little wealth. MELVIN L. OLIVER & THOMAS M. SHAPIRO, BLACK WEALTH, WHITE WEALTH: A NEW PERSPECTIVE ON RACIAL INEQUALITY (1995).

13. FRAZIER, *supra* note 9, at 148-49.

side the white upper class, a black upper class. The novelist Ward Just, writing in *The New York Times*, noted his own amazement when invited by presidential advisor Vernon Jordan, who is African American, to a party for President Bill Clinton: "Most of the guests are rich and black."¹⁴ In praising Carter's novel, Just declares it "a window, the only one I know of" into this "hidden world."¹⁵ Misha anticipates as much. He posits that there is "a larger slice of financially comfortable African America than most white Americans probably think exists outside the sports and entertainment worlds" (p. 19).

Even for those with more of an acquaintance with this universe, Carter provides "a slice of life, a cross section" which "wallows so enthusiastically in the dirt of everyday life and the dirty secrets of class envy" that it is possible to determine whether "the black bourgeoisie has been uprooted from its 'racial' tradition" and hides an inferiority complex. Ostensibly, his book is a mystery-thriller, replete with false leads, false endings, and true surprises. Within that structure, it is also a study of the black bourgeoisie, a nation within a nation, as real as it is imagined, who are as black as they are bourgeoisie.¹⁶ Carter reveals the complexities of race.

III. TWO NATIONALISMS

This Review analyzes a census of *The Emperor of Ocean Park*. Like the plot, the racial themes defy easy summary, but because Misha's inner life is considerably more vigorous than his outward actions, the racial themes are also clear. There is scarcely a page that does not include an incident or comment related directly or indirectly to race, but few if any of these are acts of bigotry or even statements of prejudice. Once explicated, the story told by these incidents and comments is cynical, if not depressing.

None of Carter's characters is able to escape the effects of race, notwithstanding their efforts to do so. They are boxed in by race, even if they cannot see the lines marked out by race. All of the major characters, and most of the minor characters, are identified by race, ethnicity, and class. This does not make Carter's novel markedly different than other novels by, say, Scott Turow or John Grisham. The

14. Ward Just, *How the Other Half Lives*, N.Y. TIMES, June 9, 2002 (Book Review), at 11. In the book, Misha characterizes whites as feigning knowledge of the black middle class (p. 129).

15. *Id.* Many other reviewers made similar comments. See, e.g., Jason L. Riley, *Ivy League Intrigue*, WALL ST. J., June 7, 2002, at W12 (stating that the book "is an admirable debut, introducing some readers to an unknown world").

16. Anthony Appiah argues that African-American writers are unfairly subjected to this tendency of treating novels as if they were "in the first instance, a contribution to the sociology of race relations." Appiah, *supra* note 6. Although Appiah is right that it is generally unfair to regard novels in this manner, Carter's work invites such an approach.

difference is not the racialization of characters or the implications of their identity. It is, rather, that Misha is self-conscious. He deserves to be commended, not condemned.

Yet in Carter's book there is no necessary correlation of race to class, politics, or culture. The black characters confound stereotypes. They are wealthy and poor, conservative and liberal, high- and low-brow; the same is true of the white characters. Misha and his family are more wealthy than poor, more conservative than liberal, and more high-brow than low-brow. Among both black and white, there are individuals who are honorable and others who are not. The majority of the dangerous persons, however, are white.

This story so vindicates the predictions of Critical Race Theory that "Stephen Carter" could just as easily be the pen name of Derrick Bell. In short stories and essays, Bell has speculated that African Americans might never attain genuine equality.¹⁷ As Professor Richard Delgado argued in an influential review comparing Carter and Bell among others, there may be commonalities in racial philosophies that do not correspond to conventional political labels.¹⁸

The relationship of whites and blacks is often depicted with a mathematical metaphor: they move in parallel worlds. It might be more apt to rely on another mathematical concept: whites are the asymptote to blacks.¹⁹ Parallel lines cannot touch and the relationship between them does not deviate; by definition, they neither converge nor diverge. An asymptote is the line that a curve approaches but never touches; the distance between the line and the curve diminishes, but does not disappear even as the line and the curve stretch on infinitely. In Carter's racial dynamics, African Americans, especially the black bourgeoisie, may approach the status of whites with time or money, but they will never reach it.

Readers learn of Misha's race and class at the outset. Virtually simultaneously, they also learn that his family has a pedigree that sets them apart. In a nation that once subscribed to the doctrine of "separate but equal," that pedigree is visible in geography and skin color.²⁰ In the prologue, Misha states that his family bought their vacation

17. DERRICK A. BELL, *AND WE ARE NOT SAVED: THE ELUSIVE QUEST FOR RACIAL JUSTICE* (1987); DERRICK A. BELL, *FACES AT THE BOTTOM OF THE WELL: THE PERMANENCE OF RACISM* (1992).

18. Richard Delgado, *Enormous Anomaly? Left-Right Parallels in Recent Writing About Race*, 91 COLUM. L. REV. 1547 (1991) (reviewing books by Stephen Carter, Derrick Bell, Shelby Steele, and Patricia Williams).

19. An asymptote is defined as follows: Line D is an asymptote to a curve C if and only if the distance between D and C diminishes; thus, C approaches but never reaches D. 1 THE OXFORD ENGLISH DICTIONARY 738 (J.A. Simpson & E.S.C. Weiner eds., 1989).

20. In Misha's worldview, geographic origin can trump other aspects of identity. A minor character, Don Felsenfeld, who is "the son of a Jewish farmer from Vermont," is laconic, because "Jewish he may be, but [he] is pure New England too." P. 187.

house as part of the "black middle-class colony" found in the Oak Bluffs neighborhood of Martha's Vineyard, long before they began "let[ting] everyone in"—meaning less affluent black people (p. 3). His family's principal residence in Washington, D.C. sits in the African-American Gold Coast neighborhood where the residents are "yellow-skinned," but also lies on the border near the adjacent white neighborhood (pp. 47, 261). Misha and his wife were only the third African-American family to move into their exclusive neighborhood, having bought the house formerly owned by a white dean of the law school on the faculty of which Misha serves, who once opined that "a colored man, whatever the level of his educational achievement, would not be welcome as a student" (p. 186).

As youngsters, Misha and his siblings belonged to Jack & Jill, an exclusive organization for African-American children (p. 129). As an adult, Misha's contact with socioeconomic diversity among African Americans comes only through volunteering at a soup kitchen (p. 150) and giving money to beggars, who may be hustlers (p. 13). As a chess buff, he had probably heard of the chess-playing prodigies from Harlem.²¹ As a member of the black bourgeoisie, he does not associate with their ilk. Misha digresses from his internal monologue often and at length, but conspicuously not about African-American chess experts.

As Misha tells it, his life is not the product of recent gains in upward mobility by his generation; his family can be dismissive of the nouveau riche. Misha's mother is nostalgic for the time when "there were only a hundred black people who mattered in America, and they all knew each other" (pp. 283-84). They would have made the list. His family counted itself among the free persons of color in the antebellum era (p. 25). As if that were not enough, their revered patriarch was a freed slave who owned slaves (pp. 25-26). Consequently, the family has what Misha refers to as a typical "obsession with pigmentation" (p. 17).

Such an obsession is not without its contradictions. Misha's deceased sister, Abby, was light-skinned. Yet she was the one who owned the mug emblazoned with the slogan "Black is Beautiful" (pp. 5, 17). Her parents and siblings, who were darker, were not as sanguine about the sentiment.

Misha is in every sense assimilated. He has nothing to do with Afrocentrism. He does not engage in any behavior conforming to the popular images of black men. He dislikes sports, although as a pretense (p. 73). Neither does he pass any internally imposed test of authenticity for blackness. He refuses to "play the dozens" with his sister, avoiding the ritualized trading of insults that is often studied as

21. See, e.g., John Tierney, *Harlem Teen-Agers Checkmate a Stereotype*, N.Y. TIMES, April 26, 1991, at A1.

an integral aspect of African-American socializing.²² Carter's black characters are similar to the late Raymond Carver's white characters.²³ Credited with starting the renaissance of the American short story, Carver and other fiction writers of the late 1980s featured disaffected individuals — virtually all of them white — who owned many brand-name items that were listed in the prose: for example, BMW cars. Misha and his wife, and those in their circle, are similarly enamored of brand-name goods: cars are identified by make and model; and Misha's wife has a sporty new, "blindingly white" BMW.²⁴ The black bourgeoisie are like the white bourgeoisie; they can afford what civil-rights-leader Martin Luther King, Jr. disapproved of as "the drum major instinct" — to stand out through conspicuous consumption.²⁵

Misha is assimilated, however, into not exactly white culture but an intellectual subculture. In his influential work on assimilation, sociologist Milton Gordon characterized academe as peculiar enough to transcend other cultures that are defined by race.²⁶ Misha is self-invented, an author of his own identity in literal terms. Misha's very name, as if his given name of Talcott was not sufficiently preppy, is derived from the Russian "Mikhail" (p. 27). The name Talcott honors his family's prosperity. This name, which is English, means cottage by the lake, i.e., it refers to the Oak Bluffs summer house.²⁷ His chosen name of Misha is conferred by his uncle in reference to chess master Mikhail Tal. This alternative namesake was the eighth world champion, known for his unusual tactics.²⁸ Neither the given name of "Talcott" nor the nickname of "Misha" reflects African-American naming traditions; the former is Anglophilic and the latter idiosyncratic.²⁹ Misha,

22. P. 37; see ROBIN D.G. KELLEY, *YO' MAMA'S DISFUNKTIONAL!: FIGHTING THE CULTURE WARS IN URBAN AMERICA* 32-40 (1997) (describing "playing the dozens" and critiquing anthropological studies of the same).

23. See RAYMOND CARVER, *WHERE I'M CALLING FROM: NEW AND SELECTED STORIES* (1988). For criticism of this brand consciousness in fiction, see Russell Banks, *A Dyspeptic View of Nineties Fiction*, *ATLANTIC MONTHLY*, May 1992, at 120 (reviewing JOHN W. ALDRIDGE, *TALENTS AND TECHNICIANS: LITERARY CHIC AND THE NEW ASSEMBLY-LINE FICTION* (1992)). In this vein, Carter notes details such as a refrigerator being a "Sub-Zero" luxury model. P. 40.

24. P. 186. Misha, in contrast, drives a humble economy car. It is "sturdy." P. 617. She speeds; he doesn't. P. 152.

25. *A KNOCK AT MIDNIGHT: INSPIRATION FROM THE GREAT SERMONS OF REVEREND MARTIN LUTHER KING, JR.* 165-86 (Clayborne Carson & Peter Holloran eds., 1998).

26. MILTON M. GORDON, *ASSIMILATION IN AMERICAN LIFE: THE ROLE OF RACE, RELIGION, AND NATIONAL ORIGINS* 224-32, 254-57 (1964) (describing academe as a subculture).

27. YVONNE DE LA PAIX, *JUST THE PERFECT NAME* 287 (1997).

28. P. 398; see N.J. DIVINISKY, *THE CHESS ENCYCLOPEDIA* 208-10 (1990); DAVID HOOPER & KENNETH WHYLD, *THE OXFORD COMPANION TO CHESS* 342-43 (1984).

29. See STANLEY LIEBERSON, *A MATTER OF TASTE: HOW NAMES, FASHIONS, AND CULTURE CHANGE* 172-222 (2000) (discussing African-American naming practices, espe-

strangely, explains the etymology of his name directly to the reader. Although he does not directly address the reader regularly, in this passage he says, "you will correctly have guessed" that Misha "is the Anglicized version of a Russian name." (p.27). As an academic who has generated his own origin myth, he is perhaps the most neurotic action hero of recent years. When the roof is literally about to fall on him, "the scholar in [him] takes over" and he wonders about the mechanics of ceilings collapsing (p.626).

Misha is excluded as well. He is uneasy among his peers. He conveys no bitterness that (as other African-American writers have lamented) an acculturated black professional can satisfy the obligations of the social contract only to have white colleagues renege.³⁰ Even though he is initiated enough to be familiar with the right insider's nickname for the deli he frequents with his colleagues, he simultaneously lives within "a white law school social circle that whirls around [him] so fast that [he] discern[s] it only in tiny glimpses" (p. 12). As a consequence, he is numb enough that he cannot even feel ostracized by not being invited to a faculty party (pp. 12-13). He is not among the "us" who belong to the school (p. 209). He is "erratic" when contrasted to the white star students who will be future faculty — they run in groups down the hall, "laughing" (p. 305). He even fears his colleagues will fire him (p. 469). When he ducks into a computer science building to escape thugs chasing him across campus, he realizes the white-male faculty all look askance at him because there are no African-American computer-science majors (p. 159). He is too self-absorbed to be more than distracted by these slights, and, in the novel, rightly occupied with his family troubles.

The combination of assimilation, self-invention, and exclusion leads to a natural outcome of self-sufficiency. Misha is not a separatist, but he does remember his father's admonition to "avoid the mistake of so many members of the darker nation who spend their lives going hat in hand to powerful white folks for help" (p. 165). Misha's child will not be victim to the self-hatred of such a subordinate status. Psychologist Kenneth Clark's famous studies, cited in *Brown v. Board of Education*, demonstrated that young black children preferred white dolls and the images they represented to black dolls and the images

cially the giving of nontraditional names); LINDA ROSENKRANTZ & PAMELA REDMOND SATRAN, *BEYOND JENNIFER & JASON*, MADISON & MONTANA 257-67 (2000) (same).

30. See LURE AND LOATHING: ESSAYS ON RACE, IDENTITY, AND THE AMBIVALENCE OF ASSIMILATION (Gerald Early ed., 1993). For a case study of the phenomena, see PAUL M. BARRETT, *THE GOOD BLACK: A TRUE STORY OF RACE IN AMERICA* (1999) (analyzing case of African-American attorney who was assimilated but denied partnership at a major law firm).

they represented.³¹ Misha's son would react differently. He and a friend play with her Barbie doll, a Nigerian model (p. 370).

Misha refrains from blaming racial discrimination for events in his life and he does not experience any serious incidents of racism during the time period of the book. His tragedies have their roots in causes other than race, even if they may seem to be related to race.³²

The Garland family suffered the death of their youngest daughter, Abby, in an automobile accident. Misha's father was haunted by the incident until his death. The Judge is the key figure who sets the plot in motion — Misha's quest to discover what "the arrangements" are; everyone alludes to "the arrangements" the Judge made, but his family is unaware of what "the arrangements" may have been. The scandal at the heart of his life is motivated by perfectly human feelings, which could be those of any parent. He desires vengeance for Abby's killing, which was not racial or even intentional.³³

It would be a mistake to conclude that what looks racial is racial. Freeman Bishop, an Episcopal priest who performs the services at the Judge's funeral, is tortured and killed in a gruesome episode that looks as if it could have been a hate crime (pp. 120-29). But Bishop had a drug problem, a habit which discredits him even though it is not what brings about his demise (pp. 134-35). He was attacked on the possibility that he has something to do with "the arrangements," which is an erroneous supposition (p. 406).

It also would be a mistake to conclude that what looks nonracial is nonracial. Misha finally pieces together the hints his father left behind. "The arrangements" are on files saved to a computer disk, not papers, and they are stored inside a teddy bear named after George Jackson, Angela Davis's boyfriend. Davis and Jackson were among the most prominent Black Panthers. She became a fugitive after being accused of smuggling a gun to Jackson in prison, where he was killed while allegedly attempting to escape in 1971. She was acquitted. Carter foreshadows Jackson's later appearance, calling him "the martyred black militant" (p. 5). "At the time," Misha remembers, "every black woman in America of a certain age seemed to be in love with him" (p. 627). The solution depends on racial-insider knowledge. Misha is

31. See K. B. CLARK, EFFECT OF PREJUDICE AND DISCRIMINATION ON PERSONALITY DEVELOPMENT (Midcentury White House Conference on Children and Youth, 1950), cited in *Brown v. Bd. of Educ.*, 347 U.S. 483, 494 n.11 (1954).

32. Misha has inherited the tendency to be troubled by the past. He recalls even trivial upsets. He remains resentful years later that his sister burned his Willie Mays baseball card when they were children. Pp. 4, 37.

33. Reviewer's note: this footnote discloses the ending of the book. The explanations for the mystery of "the arrangements" are inventive enough for the genre: Judge Garland had both the driver and the passenger of the car that struck Abby killed, in staged auto accidents, at the cost of becoming beholden to the criminal operatives who did the deeds on his behalf, and he was perforce corrupted. P. 598.

precise. It was not “every woman in America of a certain age” but “every black woman in America of a certain age” who liked George Jackson. Misha, as an African American, is much more likely to be privy to this information than his colleagues who are white, though they are not precluded from learning.³⁴

The only occasion that is unambiguously racial involves a chase scene on campus. Misha has just started his investigations, when he faces the thugs. Although Misha seeks the police, they confront him and not his pursuers. Presumably on the basis of a racial profile of African-American males, he becomes the suspect and he is doubly the victim—once at the hands of his pursuers, again when he seeks help from official sources. Even then, he reacts introspectively. He feels guilty “of whatever they like” (p. 326). A “hot shame rises in [his] cheeks, as though [he has] been caught on the brink of a terrible deed” (p. 326). He considers why his accusers have done as they have, inventing a plausible excuse, but concludes that “[e]ither way, I have never felt so helpless, so unable to influence my fate” (p. 326). As indicated by his proper grammar—the officer uses “can” for “may” and Misha answers “with pedantic emphasis” on the “may”—it is not those who stereotype but their subjects who are the betters (p. 326). The cops are not extremists, but their reactions also are not aberrational. Misha’s response to them is highly individual, not oriented toward group rights; and he asserts his personal superiority rather than racial equality.³⁵

Misha is acutely aware of race in almost all circumstances. He has acquired his father’s tic, for example, of referring to “the darker nation,” meaning African Americans who are of lower socioeconomic status, and “the paler nation,” meaning whites apparently irrespective of socioeconomic status.³⁶ The terms are meant descriptively, not pejoratively. They are clichéd, if not offensive. The “darker nation” is defined by race and class, preoccupied with gossiping infighting but

34. The other major clues are quite personal, directed to Misha and nobody else. He also must recognize a pun (“before” for the chess annotation “B4”) and remember his uncle’s Communism. Pp. 626-27.

35. National Security Advisor Condoleezza Rice, who is African American, makes the same move in widely reported anecdotes about her experiences with racial discrimination. She is said to have told a white professor of hers who approved of William Shockley, the scientist who claimed African Americans were inferior, “I speak French, I play Bach, I’m better in your culture than you are.” She also is said to have responded to a clerk in a mall who showed her costume jewelry rather than anything expensive, “Let’s get one thing straight. You’re behind the counter because you have to work for six dollars an hour. I’m on this side asking to see the good jewelry because I make considerably more.” Nicholas Lemann, *Without a Doubt*, NEW YORKER, Oct. 14 & 21, 2002, at 164, 169.

There is a difference between Carter/Misha and Rice. Carter’s Misha does not equate race and culture. His cultivation of standard grammar is not a form of acting white; he claims it as his own. Rice does equate race and culture in the Shockley anecdote. She knows the culture that is not her own.

36. Misha does distinguish among white ethnic groups living in Elm Harbor. P. 148.

imbued with a jazzy spirit (though in some contexts, the “darker nation” encompasses all blacks) (pp. 16, 22); but the “paler nation” is defined by race alone as if whiteness were property,³⁷ as in the “rail-thin” Cassie Meadows, a junior lawyer with excellent credentials whose furious blushing emphasizes her pallor, making her a figure of no importance but for her conspicuous hue.³⁸ There are few available men in the “darker nation,” or, more precisely, few men eligible for marriage, due to “intermarriage, violence, prison, drugs, and disease”(p. 262). Those remaining are a catch (p. 590).

Even someone of Misha’s prominence feels occasional resentment about race, not least bitterness over white liberals abandoning the education of African Americans as a priority.³⁹ He displays what journalist Ellis Cose has dubbed “the rage of a privileged class.”⁴⁰ For example, Misha is proud that his wife (who is also black) may be nominated for a federal judgeship. He is especially proud that she may beat out a white colleague, “just to see the pomposity drain for a splendid moment from their satisfied Caucasian faces” (p. 13). Other than Misha’s impressions, there is no particular basis for believing that the satisfaction of any of these individuals could be ascribed to their skin color. He entertains the idea of being offended — on behalf of his race as he puts it — by his own white brother-in-law, a person who is bland enough to be harmless but around whom many ambitious young African Americans have gathered because of his wealth, power, and connections (p. 21). He sympathizes with black nationalists who oppose affirmative action for this very reason of black deference (p. 21). He does not like whites calling him “clever” because of the potentially negative implications, but he doubts that he actually believes what he momentarily feels (pp. 161, 179). It is no surprise that he has a professional interest in semiotics, because so much of his analysis turns on signs that are less than obvious.⁴¹

His characteristic encounter with a white liberal is his berating of Avery Knowland, a student who contends out of a crude Marxism that the wealthy party always prevails in tort cases (he might be right, too — pp. 646-47). Misha thinks that Knowland is hiding “the unsubtle racism of the supposedly liberal white student who cannot quite bring

37. See *Plessy v. Ferguson*, 163 U.S. 537, 549 (1896); GEORGE LIPSITZ, *THE POSSESSIVE INVESTMENT IN WHITENESS: HOW WHITE PEOPLE PROFIT FROM IDENTITY POLITICS* (1998); Cheryl I. Harris, *Whiteness as Property*, 106 HARV. L. REV. 1709 (1993).

38. P. 98. Cassie coincidentally was a clerk to the villain, which is explicitly unimportant. P. 637.

39. P. 511. Misha rejects liberal and conservative approaches to race. Pp. 154, 179. Misha agrees with his father that there is no reason to trust white liberals, but disagrees with him that there is any reason to trust white conservatives. P. 206. He thinks black conservatives are displayed as “troph[ies].” P. 600.

40. ELLIS COSE, *THE RAGE OF A PRIVILEGED CLASS* (1994).

41. Misha treats his seminar as concerned primarily with semiotics. P. 171.

himself to believe that his black professor could know more than he" (p. 111). Knowland's father, a trustee of Misha's law school, is wealthy enough to donate six million dollars to the institution. Knowland's father makes the gift after Misha berates his son. Knowland's father is favorably impressed by Misha's toughness toward Knowland the younger, as the father believes the son needs discipline, but Misha looks at the gift as a sign of a conspiracy—personal, not racial (p. 601). Misha may have been hard on his student out of a racial rationale, namely his assumption about the student's assumptions, but he is redeemed by his student's personal fault of pomposity.

His stressful encounter with a white police sergeant in a predominantly white suburb is typical of his interactions with white strangers. He describes her as a redneck — he cannot gauge how old she is because of her florid complexion. When she assures him "we don't have these problems," he interprets that to mean racial problems or even the presence of African Americans, rather than the brutal murder she is investigating, which he has come to discuss (p. 121). He wonders if his failure to call her "ma'am" proves that "rudeness [is] the legacy of oppression" (p. 125). The sergeant is wrong that the murder has nothing to do with the Judge, but she is right that the murder has nothing to do with race.

There is a disparity, then, between whites and blacks. Misha perceives, and he supposes that whites also perceive, a difference between the "smugness" of a successful black man and the identical "smugness" of a successful white man (p. 247). Misha finds it easier to bear the former than the latter, and speculates that for whites it is vice versa. Some of his attitudes are universal. His doubts about his students extends to students of all racial backgrounds and ideological commitments. He sees them as "hopelessly young and hopelessly smart and thus hopelessly sure they alone are right," doomed to lead lives of quiet desperation (p. 109).

As for religious faith, which Frazier associates with African-American cultural traditions, Misha begins the book having prayed only due to complications attending the birth of his son and otherwise not mentioning God at all (pp. 19, 78). His brother, Addison, does not refer to God in their father's eulogy (p. 60). As the crisis develops, Misha begins to articulate Christian duty. As a sign of his faith, he affirms his belief in Satan (p. 350). He initially attends church services of an unspecified denomination, and eventually ends up at Temple Baptist (pp. 189, 579). As a law school commencement speaker, he recites a story from Exodus to the embarrassment of the audience (p. 583). He wants to be "a better Christian" (p. 652). The book cannot end properly without Misha returning to the fold of the faithful, becoming less mainstream in the process.

The rest of the Garland family exemplifies African-American types. Within the nuclear family, the parents are neoconservative and

social snobs, the other siblings a ne'er do well who exploits memories of the civil-rights movement and a woman who has sacrificed her career and given up racial loyalties to become a dutiful wife and mother. Misha's father, the Judge, is an African-American right winger who is labeled a traitor to his race on the pages of law reviews, but who is erudite enough to admonish his critics in terms beyond their limited vocabulary (pp. 16, 36). A former liberal who litigated desegregation cases, he is now best described as a Tory (pp. 34, 190). He forsakes his Communist brother (pp. 27, 270, 274) — who later became a black nationalist (pp. 626-27). Misha is unsure whether his father "manufactured half his political views in order to keep his face on television, his enemies at his heels, and his speaking fees in the range of half a million dollars a year."⁴² He also can be regarded as just a contrarian, disliking black nationalists and white patrons without distinction. He is annoyed by both the slogan "Black is Beautiful," and by the supposed compliment that he is a "reasonable Negro" (pp. 5, 226). His ideology turns out to disguise corruption (p. 609). Misha's mother, who is not sketched out with any detail, speaks only a few lines, the most memorable among them the aforementioned sentiment about the one-hundred black people in America (pp. 283-84). Her mother wants her daughter to "run[] the Gold Coast," their exclusive upper-class black neighborhood (p. 129). She is otherwise unknown to her son (p. 649).

The eldest male child in the Garland family, Addison, is identified as a recognizable type in that he romanticizes the civil-rights movement (p. 53). He is a dilettante with more style than substance who has held many high-profile positions, but he has not made much of them and has not finished his grand project of writing about the civil-rights movement (pp. 53-54). He has a series of girlfriends, without making any serious commitment to any of them (p. 54). Addison also never enjoyed the trust of his father, and, implicated in some sort of fraud scheme, he ultimately vanishes (pp. 553, 607). Misha was jealous of Addison when they were young, but he has done what Addison refused to do, in puzzling out what exactly were "the arrangements" which are at the heart of the mystery (pp. 648-49).

The eldest female child, Mariah, always preferred to date white men (p. 18). She has married a white man, converting to Roman Catholicism to do so (p. 135). Although intellectually the most able of the siblings, she gives up her career as a Pulitzer-nominated journalist to raise a brood of children (pp. 17-18, 38-39). She is "stately, almost regal," but she is "perhaps running now to fleshiness" (p. 17). Rather than become a leading figure among African Americans, she is accepted by whites with the concomitant loss of her blackness (p. 573).

42. P. 36. The Judge reached the peak of his chess playing "back in the early Reagan years," showing that the Judge's passion was linked to politics. P. 85.

Her husband's wealth " 'feels great' " (p. 601). She is convinced that her father was done in by a liberal conspiracy, refusing any other explanation (p. 653). Misha was never close to Mariah, and he does not respect her life choices. Misha is satisfied that his inquiry is done, but Mariah carries on with the hope that there will be more. She is not satisfied with the outcome, and even if further work is futile, she intends to carry on.

Arguably, there are no sympathetic female characters. It may be a function of Misha serving as the narrator. He is self-centered enough that he may be less than perfectly reliable. Even discounting Misha's account, he portrays the women he knows in less than flattering terms.

Most importantly, Misha's wife, Kimmer, is ignominious, notwithstanding her successful career and near-death experience giving birth to their son. She defies the patterns of race established by the Garland family. Hers is an upper-class Jamaican heritage (p. 51). She may be lighter than Misha, and drive a nicer car, but she wears an afro and her family house is less nice than his. She is sexually independent and was seeing two men when she and Misha became involved (p. 512). She opposes affirmative action, but for an idiosyncratic reason: she considers it a means for whites to place blacks in their debt (p. 66). She is calculating. She lobbied and gave political contributions systematically but subtly, which puts her in consideration for the bench (p. 10). She decided which presidential candidate to vote for by tossing a coin (p. 476).

All along, Misha thought that Kimmer was having an affair. His anxieties are borne out: she is cheating. Worse, Misha is cuckolded not by a white authority figure but by a black star athlete. His wife betrays him for the very stereotype of his own racial identity.⁴³

Misha initially figured on Gerald Nathanson, the white senior partner at Kimmer's law firm, as the prospective menace to his marriage (p. 12). Instead, it is basketball-player Lionel Eldridge, called Sweet Nellie in his playing days, with whom Kimmer committed adultery (p. 521). Eldridge retired from the game and is now Misha's student. Eldridge benefited from Misha's help professionally (pp. 72-73). He cannot compare to Misha intellectually. He can barely do the work required of him as a law student and summer associate (pp. 73, 306, 521, 528, 569). Indeed, his winning smile highlights his frivolity (pp. 306-07). Nonetheless, Misha's wife is more attracted to Eldridge than to Misha. He drives a Porsche (p. 623). He may even have supplanted Misha on a permanent basis (pp. 617, 644). Given all this, Misha's dedication to Kimmer cannot help but seem saintly.

Meanwhile, the minor black characters also are representative. It is a black immigrant from Barbados—not an African American,

43. See JOHN HOBERMAN, *DARWIN'S ATHLETES: HOW SPORT HAS DAMAGED BLACK AMERICA AND PRESERVED THE MYTH OF RACE* (1997).

Lemaster Carlyle, who seems perfect and who triumphs. A colleague of Misha's, Carlyle is a liberal who became conservative. He has a high public profile, and he is rumored to be the front-runner as the next dean of the law school — the first black dean it would have (pp. 234-35, 619). He is more black than African Americans if religiosity is a factor (as Frazier suggested) because he is a former divinity student. In a moment of panic, Misha infers, erroneously, that Carlyle was the man sleeping with Kimmer (p. 454). Then, Kimmer loses the federal judgeship to him (p. 619). Ultimately, Misha becomes his tenant, at a rental rate that is charitable of Carlyle to offer (pp. 576-77).

The African-American "roller woman," Maxine, who works for one of the unnamed groups that is following Misha, is presented as a temptress who works for the lesser of evils that are only vaguely defined. As fits the genre, she is threatening to his life but they flirt (pp. 95-96, 194, 260, 391-406). Also, as follows the convention of the female operative falling for the male subject to whom she is assigned, she sends him a postcard from Miami signed with "love" even after she no longer has any professional interest in his life (p. 560). (Maxine is portrayed as a temptress, but Misha is not the temptor; it is a gendered asymmetry.)

Misha's cousin, Sally Stillman, has alcohol and drug problems, and fails in a suicide attempt (pp. 28, 522-24, 597). She is another temptress. She and Addison had an affair as teenagers, and she and Misha come close to having a fling (pp. 273-82). Her life is self-consciously pathetic, but she possesses the knowledge Misha has been seeking. Without any appreciation of the significance of the information, she accidentally discovered earlier the Judge's secret (pp. 273-82).

Aunt Alma, "just Alma," is a distant relative who is a matriarch of sorts. She presides over family gatherings, and has six children of her own (p. 22). Shirley Branch, one of Misha's few colleagues who is African American, argues that all of the nation's and world's problems can be attributed to white racism, and the subtext is always racial subordination (p. 584). Although Misha championed her as one of his former research assistants, he regards her work as "pigheaded" (p. 335, 337). Crysta Smallwood, a law student, is enthusiastic about, but incompetent with, statistics. She hopefully predicts that declining birth rates and the prevalence of abortion will ultimately result in whites ceasing to have babies by 2050 and racially self-destructing (p. 14).

The major white characters, Uncles Jack (Zeigler) and Mal (Mallory Corcoran), are two versions of the same type. Both advise Misha, assist him, and protect his family. Jack Zeigler is a former CIA officer who has become wealthy (pp. 42, 49). His past is unknown, and he cannot quite be placed — he might be Eastern European, maybe from Brooklyn, possibly Harvard educated, or all three. He is responsible for various dubious activities and is implicated in the Judge's downfall (pp. 49-50, 62). Mallory Corcoran is the Judge's former law

partner. Corcoran and Zeigler are similar, except that Corcoran operates on the right side of the law. He is a powerful Washington insider, a “fixer” (pp. 16, 40).

The liberal or intellectual white characters are exposed as frauds. The wrongdoer who emerges to kill Misha, Wallace Warrenton Wainwright, is a white progressive corrupted by devilish blackness — “a devil,” the Judge — “You have no idea how persuasive he could be!” (p. 636). As a Justice, Wainwright is “[t]he last of the great liberal judges,” an intellectual populist who started as “trailer trash” (p. 241). Even after his death, which is (wrongly) regarded as accidental, he is highly regarded. His secret, that he collaborated with the Judge to fix cases, is known only to Misha and those with whom he and the Judge worked. Misha and Wainwright are closer than Misha might like: as Kimmer notes, they could have had the same fate (p. 643). Misha’s smartest white colleague, who also was one of Kimmer’s competitors for a judgeship, is a plagiarist (pp. 415-19). Other than the single work for which he is famous — the central chapter of which he copied — he has written nothing.

The only individual openly biased toward African Americans is a curmudgeon, who is mean to all but suddenly friendly toward Misha. Karl, a white ethnic and a European immigrant, owns the local bookstore where chess players gather (pp. 310-19). He makes crass statements to Misha about race; and drove away the only woman who dared to try to become a regular (pp. 311, 319). Despite his propensities, he insists on loaning Misha a precious book on chess (p. 318). Thieves set upon Misha, and they steal the book. Misha is obligated to apologize to Karl.

The white character with whom Misha is closest is the one with whom he will never be intimate, because of her sexual orientation. His best friend, with whom he often quarrels, is “Dear” Dana Worth (p. 608). She accompanies him to the cemetery in the scene where he is shot (pp. 536-48). As she is a lesbian — once married to a black man (pp. 47, 116-17) — she and Misha have a running joke: he isn’t into white women and she isn’t into men (p. 645).

There is even a pair of law enforcement officers who match the formula of Hollywood movies — one black, one white (p. 88) — and who turn out to be bad guys posing as law enforcement officers.

The only character who is neither black nor white and advances the plot is Greg Haramoto, who, it would seem, is Asian. His family name is usually Japanese. Whether he merely has a surname that is Japanese in origin or if he is in fact Japanese American, the symbolism of Haramoto is the same. Oddly, unlike the black and white characters, Haramoto is never portrayed in explicitly racial terms. While there is a “darker nation” and a “paler nation,” there cannot be Asian or Hispanic nations in Carter’s typology, as the “darker nation” and “paler nation” are contrasting halves of the United States, leaving no

room for an Asian nation or Hispanic nation.⁴⁴ Moreover, either an Asian or Hispanic nation would be a separate sovereignty. That is, the “darker nation” and “paler nation” cannot have counterparts in an “Asian nation” and “Hispanic nation” for the exact reason that there are Asian nations and Hispanic nations. The terms are precise. The “darker” and “paler” nations are domestic; they are not “African” and “European” nations. They also are matched as a pair; they are halves that constitute the whole. As with a chess board, so too in fiction; as in fiction, so too in reality.⁴⁵

Awkwardly bereft of a “nation,” the lone Asian-American figure is disloyal. A former law clerk to the Judge, Haramoto betrays him with damaging testimony when he is nominated as a Justice.⁴⁶ Mariah thought that he had a crush on the Judge (p. 610). He cannot be contacted, because he is a “nomad” indefinitely overseas (pp. 48, 574).

IV. THE ENDGAME

Stephen Carter may well have views on race that are different than Misha's, but together they have presented a paradox in *The Emperor of Ocean Park*: race matters even if it doesn't. Misha perceives race despite himself. He perceives race if only to persuade himself that it is irrelevant. He perceives race as if it were crucial to every aspect of his life, which of course ensures that it is. It would make no sense to ask what his life would be like if he were white, for he could not possibly inhabit the same reality if that single feature of his persona were changed. Virtually every citizen of the fictive universe also is coded racially. They follow scripts that are racial.

In sum, all of the following categories of persons are repugnant to varying degrees: African-American men who are neoconservative, African-American men who romanticize the civil-rights movement, African-American women who are hostile to whites, African-American women who marry white men, African-American women who are temptresses, black immigrants, black athletes, white law enforcement officials, white men who are powerful, white men who are liberal, white men who are intellectual, and Asian Americans. The

44. See FRANK H. WU, *YELLOW: RACE IN AMERICA BEYOND BLACK AND WHITE* (2002) (arguing for a new paradigm of race that is not bipolar).

45. In a leading article *Starting Critical Race Studies*, Professor Kimberlé Williams Crenshaw applies literary critic Jacques Derrida's analysis of dualities to racial categories. Carter's Misha posits a similar dichotomy. See Kimberlé Williams Crenshaw, *Race, Reform, and Retrenchment*, reprinted in *CRITICAL RACE THEORY: THE KEY WRITINGS THAT FORMED THE MOVEMENT* 103, 113 (Kimberle Crenshaw et al. eds., 1995).

46. Pp. 47-48, 610. A few other Asian-American characters appear, who are introduced in racial terms. There is an Asian-American couple with whom Kimmer tries to curry favor (p. 106), and a Japanese-American babysitter who plays the flute. P. 449. There is also a “Reverend Doris Kwan,” who, true to stereotype, is of an indeterminate age. P. 589.

only individuals presented as somewhat decent are the white ethnic who is a curmudgeon on the surface and the white lesbian with whom intimacy is impossible. The single African-American male academic — Misha himself — is not exempt from self-loathing. He is ambivalent about most of his racial emotions, which saves him from being off-putting for his private animosities. Everything racial is ambiguous. For example, after his separation, Misha does not want to be color-coded in being set up with a prospective mate (p. 599-600). Or he may be merely adverse to a clumsy attempt at matchmaking; it isn't clear.

In the face of its revelations and traumas, the book ends optimistically for Misha but pessimistically for the nation as a whole. Misha has found out "the arrangements" for himself, but in doing so he has only begun to ascertain the scope of "the arrangements" for "the darker nation" and "the paler nation." At the end of the book, Misha is alone. In solitude, he destroys the evidence of the past. Misha leads a life of privilege measured against any standard, as a law professor at a prestigious East Coast university making a handsome living reading, writing, and thinking. He would be leading an enviable life of the mind, if it were not for his father's death, his wife's perfidy, and the ensuing events.

Misha comes full circle: he is bound to the past by his own desire (p. 650). His duty is to reinvent history, "the sum of our memories" (p. 650). He must return to the family's summer home. The book ends with a clean break, though: Misha burns the only tangible evidence of the past. Yet the arrangement endures. Still, the background racial drama can come to no closure. The chess problem that forms the single clue Misha receives from his father, the Double Excelsior with knight, offers a literal black-and-white metaphor. The Double Excelsior requires that black and white collude, with white moving first, black always losing. It is virtually impossible to solve, an enigma. If the challenge is to reverse the roles, then checkmate remains inevitable.⁴⁷

47. P. 651. The Judge thought black and white would be separated by a wall in perpetuity. P. 566. The empirical data show that in many aspects of day-to-day life, there is a significant gap between blacks and whites, on average. ANDREW HACKER, *TWO NATIONS: BLACK AND WHITE, SEPARATE, HOSTILE, UNEQUAL* (rev. ed. 1995).